

## II. AMENDMENTS TO THE CLAIMS

This listing of claims replaces all prior listings, or versions of claims.

1. (Currently Amended) A semiconductor device comprising:

a substrate including silicon;

a dielectric layer atop the substrate, the dielectric layer including a first sub-layer, a second sub-layer and a first non-discrete transitional sub-layer residing between the first and second sub-layer, wherein the first sub-layer has an etch resistance different than the second sub-layer; and

an opening extending no deeper than the sub-layer nearest the substrate.

2. (Original) The semiconductor device according to claim 1, wherein an etch resistance of the first sub-layer is greater than an etch resistance of the second sub-layer.

3. (Original) The semiconductor device according to claim 1, wherein the first sub-layer has a greater content of at least one of carbon and fluorine than the second sub-layer.

4. (Original) The semiconductor device according to claim 1, wherein the first sub-layer includes at least one component not included in the second sub-layer, the at least one component being selected from a group consisting of fluoroalkylsilanes, fluoralkylsiloxanes, perfluoroalkylsilanes, perfluoroalkylsiloxanes, alkylsilanes, and alkylsiloxanes.

5. (Original) The semiconductor device according to claim 4, wherein the at least one component is selected from a group consisting of methylsilane, dimethylsilane, trimethylsilane,

trifluoromethylsilane, 1,2-disilanotetrafluorethylene, 1,3-bis(silanodifluoromethylene)disiloxane, 2,2-disilanohexafluorosilane, bis(trifluoromethyldisiloxanyl)difluoromethane, octamethylcyclotetrasiloxane, and tetramethylcyclotetrasiloxane.

6. (Original) The semiconductor device according to claim 1, wherein the dielectric layer includes a third sub-layer residing between the substrate and the first sub-layer and a second non-discrete transitional sub-layer residing between the third sub-layer and the first sub-layer.

7. (Original) The semiconductor device according to claim 6, wherein the second sub-layer and the third sub-layer have substantially the same etch resistance.

8-20. (Cancelled).

21. (New) A semiconductor device comprising:

a substrate;

a dielectric layer atop the substrate, the dielectric layer including a first sub-layer, a second sub-layer and a first non-discrete transitional sub-layer residing between the first and second sub-layer, wherein the first sub-layer has an etch resistance different than the second sub-layer; and

an opening extending no deeper than the sub-layer nearest the substrate;

wherein the first sub-layer includes at least one component not included in the second sub-layer, the at least one component being selected from a group consisting of fluoroalkylsilanes, fluoralkylsiloxanes, perfluoroalkylsilanes, and perfluoroalkylsiloxanes.

22. (New) The semiconductor device according to claim 21, wherein an etch resistance of the first sub-layer is greater than an etch resistance of the second sub-layer.
23. (New) The semiconductor device according to claim 21, wherein the first sub-layer has a greater content of at least one of carbon and fluorine than the second sub-layer.
24. (New) The semiconductor device according to claim 21, wherein the at least one component is selected from a group consisting of methylsilane, dimethylsilane, trimethylsilane, trifluoromethylsilane, 1,2-disilanotetrafluorethylene, 1,3-bis(silanodifluoromethylene)disiloxane, 2,2-disilano hexafluorosilane, bis(trifluoromethyl)disiloxane, difluoromethane, octamethylcyclotetrasiloxane, and tetramethylcyclotetrasiloxane.
25. (New) The semiconductor device according to claim 21, wherein the dielectric layer includes a third sub-layer residing between the substrate and the first sub-layer and a second non-discrete transitional sub-layer residing between the third sub-layer and the first sub-layer.
26. (New) The semiconductor device according to claim 25, wherein the second sub-layer and the third sub-layer have substantially the same etch resistance.